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Remarks

Reconsideration of the above-captioned application is respectfully requested. The objections to the drawings have been cured herein. It is believed that the objection to Claim 4 for being "grammatically awkward" is incorrect, because Claim 4 uses a "wherein" clause to introduce what would be a complete and grammatically correct sentence.

Turning to the substantive rejections, now-canceled Claim 26 has been rejected under 35 U.S.C. §102 as being anticipated by Dodson et al., USPN 6,184,877, and Claims 1-3, 5, 6, 8, 10-12, 14, 15, 17-20, 22, 23, and 25, of which Claims 1, 10, and 18 are independent, have been rejected under 35 U.S.C. §103 as being unpatentable over Brodsky, USPN 5,809,471, in view of Allport, USPN 6,097,441. Claims 4, 13, and 21 have been rejected as being unpatentable over Brodsky in view of Allport and Chang, USPN 5,543,851, while Claims 7, 9, 16, and 24 have been rejected as being unpatentable over Brodsky in view of Allport and an online dictionary.

To overcome the Examiner's rejections, independent Claims 1 and 18 have been amended to more particularly recite that the word is within the closed captioning text as shown in Figure 1. In the case of Claim 1, the primary word appears differently in the closed captioning text, whereas in Claim 18, a user is allowed to select words within the closed caption text by input device manipulation on the closed caption text. Independent Claim 10, on the other hand, has been amended to recite that the word appearing within the closed caption text is selected from the closed caption text by means of the remote control device. Claims 1-25 remain pending.

Rejections Under 35 U.S.C. §103

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Claims 1-3, 5, 6, 8, 10-12, 14, 15, 17-20, 22, 23, and 25, of which Claims 1, 10, and 18 are independent, have been rejected under 35 U.S.C. §103 as being unpatentable over Brodsky in view of Allport. Claims 4, 13, and 21 have been rejected as being unpatentable over Brodsky in view of Allport and Chang, while Claims 7, 9, 16, and 24 have been rejected as being unpatentable over Brodsky in view of Allport and an online dictionary.

In Brodsky, words are added to a dynamically evolving dictionary, and a user later can speak words that are matched to words in the dictionary for obtaining additional content. While the words that are added to the dictionary are contained in televised content, including closed captioning, they are automatically added to the dictionary by the software. According to Brodsky, a user subsequently selects words in the dictionary by speaking the words or by selecting words from a menu, but not by selecting words *from* the closed captioning itself. There is simply no suggestion in any reference to allow a user to select a word from closed captioning text to access additional content that is related to the broadcast. There is thus no reason in Brodsky to make words within closed captioning text itself appear differently from other words, as set forth in, e.g., Claim 1, because the words in Brodsky are not selected by a human for addition to the dictionary but by a machine instead. For similar reasons, independent Claims 10 and 18 are now patentable. Applicant notes that Allport is used only as a teaching of a remote control device that might be used to search dictionary words in Brodsky, and nowhere envisions closed captioning much less selecting words out of the closed captioning.

Applicant offers the following additional comments regarding certain dependent claims. It has been alleged that Brodsky combined with Allport would result in Claim 3, but this is incorrect. Brodsky nowhere mentions remote control devices as admitted in the Office Action, so it cannot provide the requisite motivation

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to present a list of content on the display of such a device. While Allport shows a remote with display, there is no mention in Allport of presenting any content lists thereon, so combining Brodsky and Allport would arrive only at what they teach - using Allport to allow a user to enter a search word into Brodsky - but not in Claim 3.

The fact that Applicant has focussed its comments distinguishing the present claims from the applied references and countering certain rejections must not be construed as acquiescence in other portions of rejections not specifically addressed. The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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